Attorney Docket No: UM-04496

Remarks

In the Office Action mailed 10/8/04, the Examiner required a species election of one of following species for initial examination: a) fragment of Fodrin, b) fragment of IPF α,β,γ , c) fragment comprising EAALTSEEVG, and d) fragment comprising YHRFK. In the response dated 11/8/05, the Applicant elected the species of "a fragment of IPF α,β,γ " for initial examination. In the Office Action mailed 1/25/05, the Examiner indicated that the election of a "fragment of IPF α,β,γ " was an incomplete reply to the species election because "A fragment of IPF I,J,K [sic]' encompasses numerous embodiments and thus does not qualify as a species." (Office Action, pg. 1). In a telephone interview with the Examiner on 2/1/05, it was agreed that election of IPF α,β,γ IPF β,γ or IPF γ,γ would constitute a complete reply to the office action. The Applicants hereby elect IPF α,γ for initial examination. Claims 15-16, 19-20, 24, and 26 read on the elected species.

Applicants note that, in accordance with the Office Action and applicable law, upon the allowance of a generic claim, the Applicants will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claims as provided by 37 CFR 1.141.

Applicants note that all amendments, cancellations, and additions of Claims presented herein are made without acquiescing to any of the Examiner's arguments or rejections, and solely for the purpose of expediting the patent application process in a manner consistent with the PTO's Patent Business Goals (PBG), and without waiving the right to prosecute the cancelled claims (or similar claims) in the future.

⁶⁵ Fed. Reg. 54603 (Sept., 8, 2000).

Attorney Docket No: UM-04496

CONCLUSION

If a telephone interview would aid in the prosecution of this application, the Examiner is encouraged to call the undersigned collect at (618) 218-6900.

Dated:

Tanya A. Arenson Registration No. 47,391

MEDLEN & CARROLL, LLP 101 Howard Street, Suite 350 San Francisco, California 94105 (608) 218-6900